

**Joint Oversight Hearing on
Juvenile Homicides in the District of Columbia**

**Committee on Education, Libraries and Recreation
The Honorable Kathy Patterson, Chair**

**Committee on the Judiciary
The Honorable Phil Mendelson, Chair**

**Committee on Human Services
The Honorable Adrian Fenty, Chair**

Council of the District of Columbia



**Testimony of
Vincent N. Schiraldi
Acting Director
Department of Youth Rehabilitation Services**

January 31, 2005

Testimony of Vincent Schiraldi, Acting Director
Department of Youth Rehabilitation Services
at a joint public hearing of the
Committee on Education, Libraries and Recreation
Committee on Human Services
Committee on the Judiciary
On Juvenile Homicides in the District of Columbia
Monday, January 31, 2005/10 AM

Good afternoon, Chairperson Patterson, Chairperson Fenty and Chairperson Mendelson, Councilmembers and staff. I would like to thank you all for this invitation to present today for the first time in my official capacity as Acting Director of the Department of Youth Rehabilitation Services on this most important and sobering subject. While any homicide is tragic, it is most disturbing when that homicide involves a young person, either as a victim or offender. I would also like to extend my deep and sincere condolences to all of those here today who have either lost a child or had a family member or friend victimized by a young person. We must do better to reduce such tragedies from occurring in the future, and I firmly believe we can.

What I'd like to do today is talk about youth violence trends in the District, and look at some of the factors I believe have affected violence by youth.

Then, I will address what it is that I believe DYRS can do in collaboration with others in the District to reduce the likelihood that the youth who come into contact with DYRS will graduate into violent criminal behavior or will themselves become victims of violence upon completion of DYRS programs. It is my belief that what we do to keep youth safe and what we do to keep them from harming others is the same thing – get them out of the life of juvenile delinquency and on the road to turning their lives around. This *both* keeps them *and the rest of us* safer.

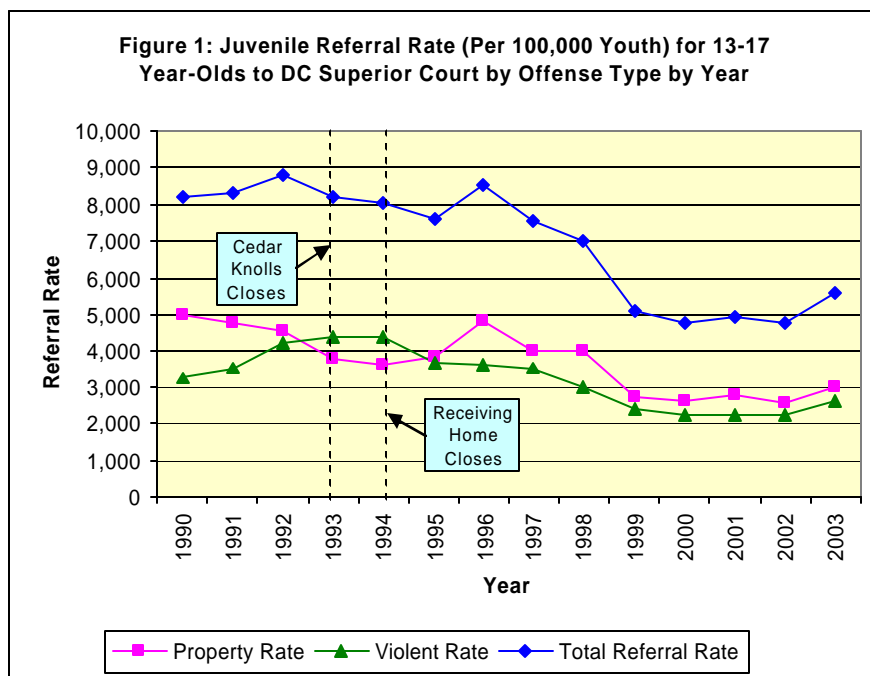
First, adult and juvenile violent crime and incarceration trends in the District of Columbia paint a picture that might surprise some. Looked at over a period of fifteen years, while the number of youth incarcerated in DC has *declined* sharply, the violent crime rate amongst youth has also declined right along with lower incarceration rates.

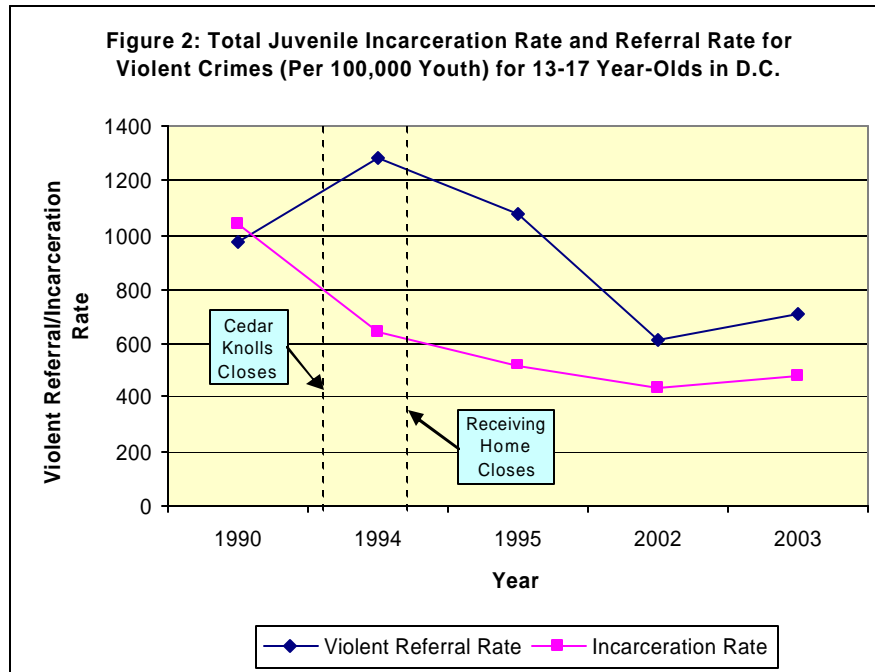
Amidst the truly tragic individual losses of life each homicide represents, it is important to remember that violent youth crime in the District is down substantially since 1995, for example. According to an analysis by the Urban Institute, violent juvenile arrests in DC were 52% lower in 2003 than they were in 1995. Homicide arrests of juveniles dropped by 92%, from 13 down to 1 during this same time period, a very, very encouraging trend for the purposes of today's hearing. Even with the data reported on for 2004 by Chief Ramsey, homicides by youth are still far lower than they were in 1995.

It is also important to understand that, while today's hearing focuses on the most extreme and tragic of scenarios of youth being killed or killing others, the great majority of young people

confined in DYRS facilities are charged with non-violent offenses that are more typical of adolescent behavior, such as theft and other property offenses. Thus, fully 70% of youth admitted to Oak Hill are arrested for non-violent behavior in which no one is physically hurt. This is not meant to minimize this behavior, and clearly some types of theft – such as auto theft, can turn into a violent incident and have tragic consequences -- but merely to put these issues into context as we determine the most effective responses to violence by and against youth in our communities.

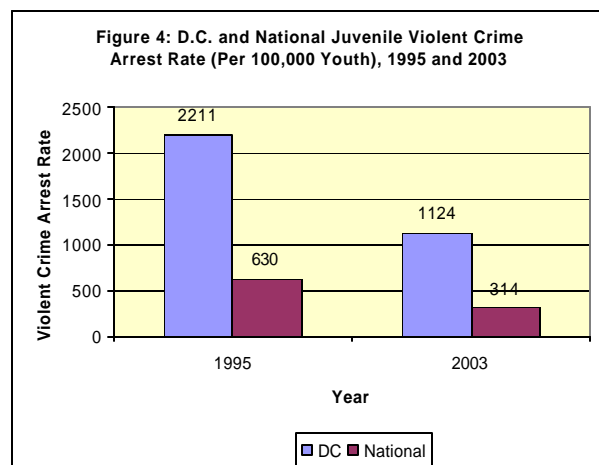
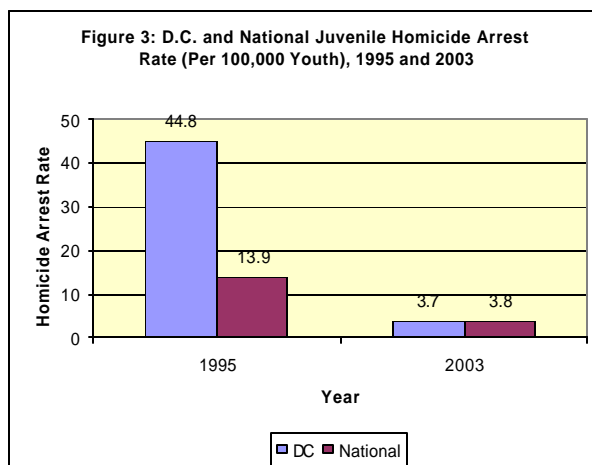
Ironically, this substantial decline in juvenile crime has occurred at a time when the incarceration of juveniles has also declined sharply. In the beginning of the 1990s, the District had an incarceration rate of 1,039 per 100,000 youth, held in three old, decrepit, large institutions. By 2004, that incarceration rate had been cut nearly in half, to 554 per 100,000, and two of those three institutions had been closed. In fact, the Cedar Knolls facility, which housed more than 200 youth at any given time, closed while violent juvenile crime was still rising in D.C. But to the surprise of many, the closure of Cedar Knolls and the Receiving Home was followed by steady decline in juvenile crime, especially violent offenses. (see Figures 1 and 2) So, even though we're locking fewer youth up today, we've still witnessed a substantial decline in violent crime by young people.



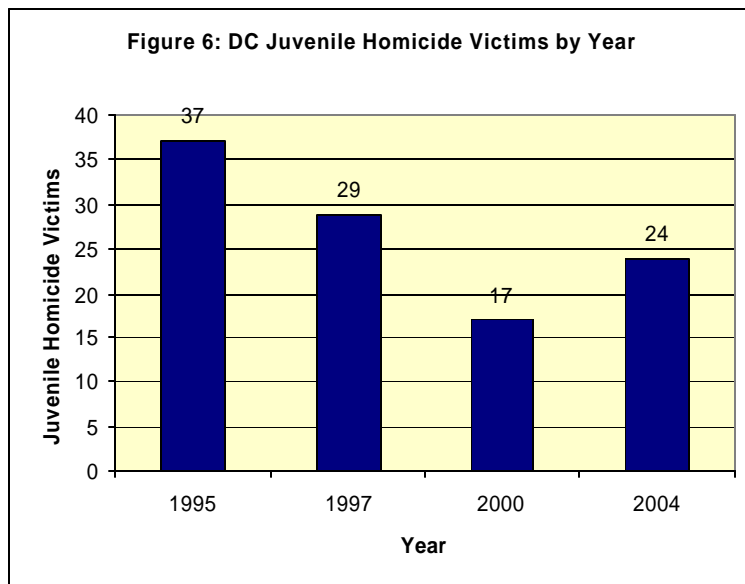
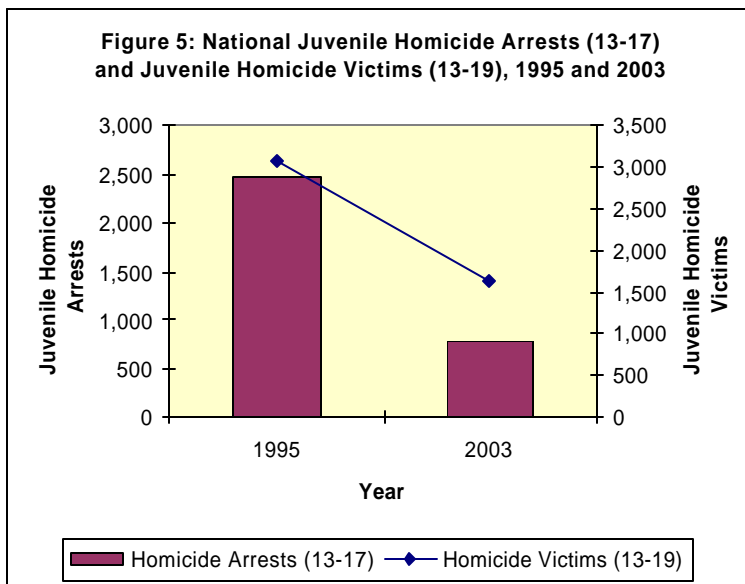


This contrasts with what has been going on with adult crime and incarceration in DC during the same time period and what has been going on with juvenile crime and incarceration nationally. The incarceration rate for adults has increased by 41% since 1990. If more incarceration leads to less crime, as some contend, we would expect that adult crime would have dropped by significantly more than juvenile crime. But the opposite has happened, while we were locking fewer juveniles up and more adults, juvenile crime dropped more, not less, than adult crime.

Likewise, there was a substantial decline in youth crime nationally since 1995. Overall, juvenile arrests for violent crime fell 45% during this time period, and homicide arrests decreased by 69%. In 1995, DC's juvenile homicide arrest rate was four times the national average, in 2003, our rate was slightly *below* the national average. During the 1990s, the number of youth locked up nationally increased by 51% while, as I stated earlier, the juvenile incarceration in the District was cut in half.



Nationally, between 1995 and 2003, the number of homicide victims between the ages of 13 and 19 decreased by 46% from more than 3,000 to 1,652 (Figure 5). In fact, the homicide rate per 100,000 juveniles decreased by more than 50%. In D.C., the number of juvenile homicide victims dropped dramatically between 1995 and 2000, falling from 37 to 17. By 2004, the number of juvenile homicide victims had increased somewhat to 24 (Figure 6).

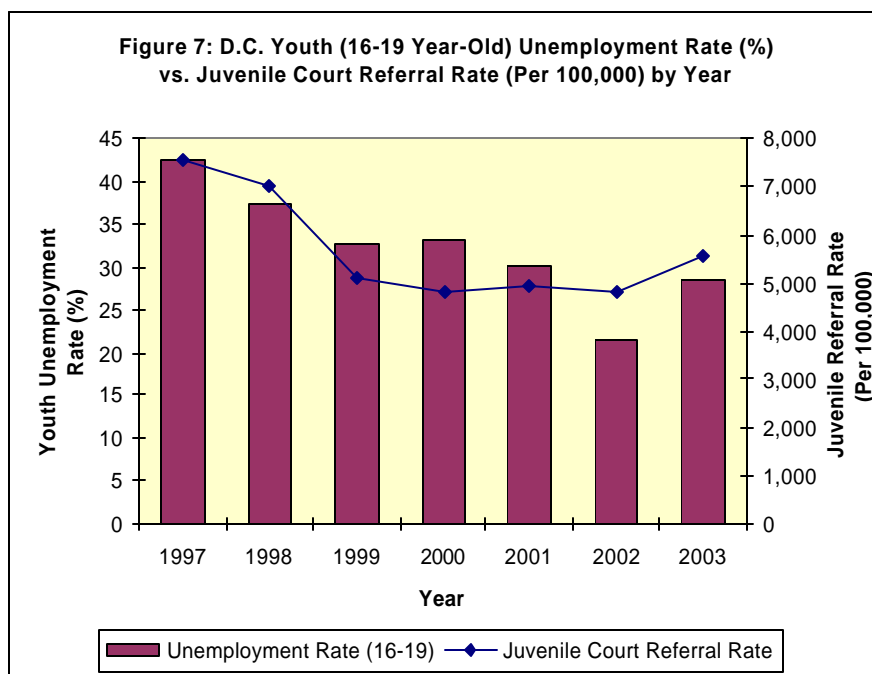


So, although I recognize that the death of any young person and a killing at the hands of any young person is always a serious tragedy, and, while I realize that there is cause for concern about the very recent increase in homicides of juveniles, it is important to remember is that those tragedies happen less frequently today than a decade ago, even though DC is incarcerating many fewer young people than it used to.

Why is that? Why is it that less incarceration in DC (and in several other jurisdictions, like Chicago, Portland, and Missouri that DYRS is in the process of evaluating) has corresponded with *less* violent crime? It's important to answer that question, so that we can figure out what we did right during that period of time, do more of it, and continue to fairly evaluate its outcomes.

There are lots of reasons why youth crime is down. A much better economic picture reduces the negative affects of poverty, some of which contribute to violent crime. In DC, the youth unemployment dropped significantly between 1997 and 2002, a period that was also marked by a large drop in the juvenile referral rate to DC Superior Court. The youth unemployment rate increased somewhat in 2003, and it is no coincidence that juvenile court referrals increased as well (Figure 7).

'One-gun-a-month' laws in Virginia and Maryland, which passed over the last decade were immediately associated with a drop in the number of handguns emanating from those states seized in DC crimes. Before Virginia passed its one-gun-a-month law, Virginia was the number one supplier of guns seized in crimes in DC. Once that law passed, Maryland became the number one supplier of guns seized in crimes in the District. In the year after Maryland passed its 'one-gun-a-month law', the number Maryland guns seized in crimes in the District dropped from 20 to zero. Homicides by juveniles in DC dropped precipitously in the years after Maryland and Virginia passed their one-gun-a-month laws, and they have never resurged to the point they were at since.



Certainly, gun control and a better economic picture are two important factors in helping explain the drop in homicides of and by young people over the last 10-15 years.

But I want to focus for a bit on changes that occurred in juvenile justice during the last decade and what I believe they tell us about how we can reform our system to have an even greater impact on reducing homicides and violence of and by young people.

There is increasing evidence that when young people are incarcerated in large, locked institutions, their behavior gets worse, not better. Obviously, some young people need to be incarcerated for their safety and ours, and all young people who break the law need to be held accountable for their behavior. But that is not the same as saying that they should all be held in large, locked institutions – research and experience is showing that, when nonviolent young offenders can be managed in rigorous programs in their own communities, not only does that result in less crime, it results in a cost savings to the taxpayers.

Now, I'm going to talk to you about some research findings on this subject, but I want to start by saying this isn't rocket science. When I was growing up in Brooklyn, I had friends that got locked up in New York's large juvenile institutions and two things almost always seemed to be true when that happened – they came out worse, and we looked up to them more because kids tend to admire other kids who seem tough, and nothing helps a street "rep" more than doing some time in lock-up.

Putting lots of delinquent youth together in a large institution – sometimes called a 'training school' or 'congregate care facility,' such as Oak Hill – magnifies already existing delinquency. One of the better studies conducted on this subject found that prior incarceration was the *single strongest predictor of future delinquency*, six times stronger than gang membership and eight times stronger than poor family relationships. This gives new meaning to the phrase 'schools for crime.'

Research by University of Colorado Professor Del Elliot, former President of the American Society of Criminology, helps us understand this phenomenon even better. He did some fascinating research that followed thousands of boys, black and white, from adolescence into adulthood. He found that, when they're 14 and 15 years old, African American boys commit about 50% more violent crime than white boys. Controlling for poverty, white and black youth commit violent crime at the same rate. In other words, it is *poverty* and violence that go together not *race* and violence.

He also found that, as they age into adulthood, the rate of violence for all the boys declines sharply when they either gain meaningful employment OR get married. Let me say this again, when African American youth either get jobs or get married, they stop committing violent crimes just like white kids do.

So, what does this mean for us as you set and I carry out public policy? Well, at the critical moment where white and black teenagers begin getting into trouble, which is when we in juvenile justice get them and usually, for less serious offenses, we have a tremendous opportunity to affect their life trajectory. We can teach them the hard lessons they learn in training schools like Oak Hill, or we can set them on the path to rehabilitation and give them the opportunity to gain employment and form meaningful relationships that Dr. Elliott's research, and common sense, by the way, tells us will help them stop committing and being the victims of violence.

So the challenge we in the juvenile justice system are faced with then is how do we securely confine those who need to be confined in custody that is decent and humane and helps turn young lives around on the one hand, and how can we divert nonviolent young people who *don't* need to be incarcerated into rigorous community programs, so we can give them a chance to make better choices while also holding them accountable for their behavior?

Well, I've been on the job a week, so I'm not going to sit here and tell you I have all the answers to those difficult questions. But I have some ideas, and I'm talking to community groups, religious groups, experts and consultants, the courts, the Attorney General, the police, members of the Council, my colleagues in the Mayor's Office, community-based providers, kids and their families to try to generate as many good ideas as possible before launching what I hope to be a comprehensive reform of the juvenile justice system in the District of Columbia. After having those conversations, I believe that we need to and can:

1. develop the nation's best continuum of care that is strength-based and family focused
2. reduce the use of unnecessary secure confinement and out-of-home placements for nonviolent offenders
3. maximize family, youth, and staff input in our reform efforts
4. increase interagency collaboration, and
5. create a unit management model that substantially improves conditions in our secure programs, like the kind of model several of us recently witnessed in Missouri.

Two weeks ago, I traveled to St. Louis, Missouri and Chicago, Illinois with eight DYRS staff to visit two juvenile justice systems that have been getting a lot of attention for their efforts to balance public safety with decent and effective treatment for young people.

In Missouri, the state went from having two brutal, large locked institutions in the 1980s, to having a network of small, decent and humane locked institutions close to the young people's home communities. The facilities generally hold no more than 20 – 40 youth, kids and staff wear their own clothes and the facilities feel a lot more like a big house than a prison. They establish a strong culture of young people in the small groups holding each other accountable for their actions through a learning/teaching process called Guided Group Interaction. The young people we met with in St. Louis -- many of whom were charged with serious offenses -- looked us in the eye, talked freely about their plans for the future including college and work, and generally there was an atmosphere of hope and promise for the future, rather than despair. A recent evaluation of the Missouri Model found that only 8% of graduates of the Missouri system get sent to adult prison within 3 years of program graduation. By comparison, in DC, among committed youth released from the Oak Hill Youth Center or private residential treatment centers to the community in 2001, 32% - four times as many -- were placed in adult prisons within 3 years. The Missouri Department's director offered to have DYRS staff spend a week being trained by his staff and working shifts with them if we decide we'd like to adopt their model.

In Chicago, we visited one of the model sites of the Juvenile Detention Alternatives Initiative. That's an initiative funded by the Annie E. Casey Foundation that works with youth in pretrial detention, creating a collaborative, data-driven approach to making appropriate use of detention facilities. In Chicago, they carefully analyzed the various sub-populations in their detention facility, including kids locked up for violating some technical condition of probation, kids locked up for truancy or running away from home, rather than crimes, kids languishing while awaiting placement in a group home who are taking up beds in detention, and then carefully worked to target those populations. They created a state-of-the-art risk screening instrument that helped them decide which kids ought to be detained, which can go home, and which can go to community based programs like shelters or evening reporting centers. Once they figured out how many kids needed to go to evening reporting centers, they went out to community groups and purchased those services instead of running them themselves. For example our staff visited a very successful "evening reporting center," which was run by a neighborhood group employing young adults from that community, some of whom had been in trouble when they were younger, where youth are supervised in their community during the peak juvenile crime hours of 3pm-9pm. The Chicago detention reform initiative did all of this under the guidance of a steering committee made up of prosecutors, defense counsel, judges, probation, detention, community based providers and, eventually young people.

Chicago began implementing their detention reform effort in 1994. That year the county's average daily detention population stood at 670. By 2002 the average daily population had dropped to 437 (a 37% decline). Failure to appear at subsequent court hearings also dropped from 37% in 1996 to 16% in 2002. The rate of success among youth participating in the alternative to detention programs, as measured by court appearances and no re-arrests, stands at 92.5%. Most importantly, Chicago saw a drop in juvenile prosecutions from 19,000 in 1996 to 8,600 in 2002.

Officials in both Missouri and Chicago have offered to host a delegation of public officials and key stakeholders from DC to tour their programs and facilities. I should also note that members of the Mayor's Blue Ribbon Commission on Youth Safety and Juvenile Justice Reform visited some of these same programs several years ago and based many of their final recommendations on the work being done in Missouri and in Casey Foundation detention reform sites. I'd be happy to arrange for such a delegation for Council members if any of you are interested.

We know much more today about what works with young people than we did 10 years ago. Due to groundbreaking research by the University of Colorado's Center for the Study and Prevention of Violence, the US Surgeon General, and most recently the National Institute's of Health, there are now programs that have met strict scientific standards of program effectiveness and have been shown to reduce adolescent violent crime, aggression, delinquency, and substance abuse. DMH Director Marti Knisely has recently issued a contract to one such program, Multi-Systemic Therapy, which she is making available to DYRS youth. We should be investing more in these types of programs and doing everything we can to make sure that they are run effectively and evaluated consistently. I look forward to talking with the Council and the community more about these approaches in the future.

No other jurisdiction and no other program can teach us exactly what we need to do to reform our system, keep our young people safe, and keep them from harming others. That's our job, a job I intend to do my part of with integrity and energy. As I do so, my personal standard will be, if my kid was in the same kind of trouble that this young person is in, would this response be adequate? If, at the end of the day, we can truly say that we're doing for these troubled youth what we would do for our own, then we'll keep them and us safe from harm.